UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

FILED AUG 0 7 2007

SOUTHERN DIVISION

In accordance with the Memorandum Opinion and Order filed on this date with the Clerk,

IT IS ORDERED, ADJUDGED, and DECREED that the Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 is denied with prejudice.

Dated this _____ day of August, 2007.

BY THE COURT:

Lawrence L. Piersol

United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: Whelly marguas

SEAIS I